

EUROPEAN INNOVATIVE MEDIA PUBLISHERS

promote a regulatory environment that fosters a diverse, competitive, free and innovative media publishing

Brussels, 10 April 2018

RE: Open letter to Members of the European Parliament on the introduction of a EU “AEDE fee” and neighbouring right under art. 11 of the Copyright Directive

Dear Axel Voss MEP,

Dear Members of the European Parliament,

We are writing to you as the Coalition of Innovative Media Publishers, comprising of AEEPP (ES), ANSO (IT), SPIIL (FR), 300polityka (PL), Echo24.cz (CZ), Golem.de (DE), Prauda (DK) and Meltygroup (FR). We represent associations of small and medium sized publishers, and media companies committed to producing high quality news. We disseminate our news and reach new audiences through online channels: on a daily basis, we provide more than 1.37 million stories to 140 million readers. **The adoption of a legal regime which supports a competitive and innovative online media space is crucial to us. We strongly support the creation of a forward-looking and innovation friendly regulatory framework** which contributes to the EU’s digital leadership globally, and actively defends EU citizens’ freedoms.

Regrettably, the on-going debate on the proposed Directive on Copyright in the Digital Single Market seems to be moving backwards, and reinforces the failings of previous measures. Whilst the Bulgarian Presidency has removed the *presumption of representation* from the list of alternatives to the proposed article 11 of the Directive, the European Parliament will consider – *worryingly* – the introduction of a right that coincides with the 2014 Spanish AEDE Fee (article 32.2 of the Intellectual Property Act).

The AEDE fee has had disastrous effects on the Spanish media market. Two studies¹, commissioned by the AEEPP and conducted in 2015 and 2017, gathered evidence demonstrating that online publishers stopped attracting significant advertising revenues and, due to the creation of new barriers to entry and expansion, business concentration increased and competition decreased. The fee was also proven to have harmed consumers by increasing search time, creating a lack of availability of news and consequently reducing news consumption and,

¹[Nera Report, Impacto del Nuevo Artículo 32.2 de la Ley de Propiedad Intelectual, 2015](#) and [Nera Report, Impact on competition and on Free Market of the Google tax or AEDE Fee, 2017](#).

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ultimately, compromising innovation in all involved sectors (news aggregation, online press, advertising, etc.).

We are disappointed that this proposal was tabled, for the consideration of the European Parliament, and as such it adds to debate on the already contentious proposal for the introduction of a new neighbouring right. The latter would have an adverse effect on the business models of online publishers and **on the quality of the press, freedom of opinion and freedom of expression of EU citizens.**

For the reasons of (1) avoiding the disruption of the EU media ecosystem, (2) dismantling digital business models and (3) stifling media pluralism, we discourage you from endorsing the inclusion of an AEDE fee-shaped right in the Copyright Directive, whilst encouraging you to work on a compromise that fairly balances the interests of all publishers of press publications.

In addition, we call on you to reject the Commission's proposal to introduce new rights for press publishers. We believe that some of the alternative options tabled by certain MEPs through granting effective protection to publishers, are balanced, effective and workable.

Yours sincerely,

The Coalition of European Innovative Media Publishers

The Spokespersons

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AEEPP



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Spiil

